

"(b) WAIVER AUTHORITY.—(1) The Secretary concerned may waive the application of subsection (a) to a contract award if—

"(A) the Secretary concerned determines that the waiver is essential to the national security interests of the United States; or

"(B) in the case of a contract awarded for environmental restoration, remediation, or waste management at a Department of Defense or Department of Energy facility;—

"(i) the Secretary concerned determines that the waiver will advance the environmental restoration, remediation, or waste management objectives of the department concerned and will not harm the national security interests of the United States; and

"(ii) the entity to which the contract is awarded is controlled by a foreign government with which the Secretary concerned is authorized to exchange Restricted Data under section 144 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2164(c)).

Notification of any deci-

"(2) The Secretary concerned shall notify Congress

sion to grant a waiver under paragraph (1)(B) with respect to a contract. The contract may be awarded only after the end of the 45-day period beginning on the date the notification is received by the committees."

SEC. 829. ASSESSMENT OF NATIONAL DEFENSE TECHNOLOGY AND INDUSTRIAL BASE AND DEPENDENCY OF BASE ON SUPPLIES AVAILABLE ONLY FROM FOREIGN COUNTRIES.

(a) NATIONAL SECURITY OBJECTIVES FOR NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—Section 2501(a) of title 10, United States Code, is amended by adding at the end the following:

"(5) Providing for the development, manufacture, and supply of items and technologies critical to the production and sustainment of advanced military weapon systems within the national technology and industrial base."

(b) NATIONAL DEFENSE PROGRAM FOR ANALYSIS OF THE TECHNOLOGY AND INDUSTRIAL BASE.—Section 2503 of title 10, United States Code, is amended—

(1) in subsection (a)—
by striking out "(1) The Secretary of Defense, in consultation with the National Defense Technology and Industrial Base Council," in paragraph (1) and inserting in lieu thereof "The Secretary of Defense"; and

(2) by striking out paragraphs (2), (3),

and (4); and

(3) Technology
and Industrial Base Council in" and inserting in lieu
thereof "the Secretary of Defense for": and

(4) by striking out "and the periodic plans
required
by section 2506 of this title".

(c) PERIODIC DEFENSE CAPABILITY ASSESSMENTS,
INCLUDING
FOREIGN DEPENDENCY.—(1) Section 2505 of title 10,
United States
Code, is amended to read as follows:

**"§2505. National technology and industrial
base: periodic
defense capability assessments**

(a) PERIODIC ASSESSMENT.—Each fiscal year, the
Secretary
of Defense shall prepare selected assessments of
the capability